

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JAMES ALDERSON,

No. 3:16-cv-02063-SU

Plaintiff,

v.

NANCY A. BERRYHILL,
Acting Commissioner of Social Security,

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge Sullivan issued a Findings and Recommendation (#24) on October 30, 2017, in which she recommends that this Court deny Plaintiff's Request for Immediate Remand, and reverse and remand the Commissioner's decision to deny Plaintiff disability benefits. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840


F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Sullivan's Findings & Recommendation [24]. Accordingly, Plaintiff's motion to remand/request for immediate remand [20] is denied. However, the Commissioner's decision is reversed and this case is remanded for further administrative proceedings.

IT IS SO ORDERED.

DATED this 22 day of Dec, 2017.


MARCO A. HERNANDEZ
United States District Judge